

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SMITH INTERNATIONAL, INC.,	§	
	§	
Plaintiff,	§	
VS.	§	
	§	
THE EGLE GROUP, L.L.C.,	§	
DON M. EGLE,	§	CIVIL ACTION NO. H-04-4151
and	§	
DANIEL REES, as Trustee of the Trust	§	
for Michele A. Goethe Egle Trust for John	§	
M. Egle, Jr., and the Egle Trust for	§	
Lauren E. Egle,	§	
	§	
Defendants.	§	

MEMORANDUM AND ORDER

Pending before the Court is Defendants' application to recover the costs of the oral depositions of Don Egle and Richard A. Werner and of the transcripts of various oral hearings held during the course of this litigation. After reviewing the record, the Court notes that Defendants, in seeking to compel Mr. Warner's deposition, volunteered to limit that deposition to matters relevant to the issue of jurisdiction. While the Court denied as moot the motion to compel, pursuant to the parties' agreement, it is reasonable to assume that that agreement was premised on the narrow scope of the deposition request. Accordingly, and because jurisdictional issues were not dispositive of this case, the Court **DENIES** Defendants' motion to recover the cost of Mr. Werner's deposition transcript. Defendants' remaining requests for costs are **GRANTED**, and Plaintiff is hereby **ORDERED** to pay to Defendants their reasonable costs in the amount of \$568.40.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 9th day of May, 2006.

A handwritten signature in black ink, appearing to read "Keith P. Ellison". The signature is written in a cursive, flowing style with some capitalization.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**